

### **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

New claim 21 has been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-21 are now pending in this application.

#### **Interview Summary**

Applicant's representative wishes to thank the Examiner for conducting the interview of August 4, 2009. In accordance with the request in the Interview Summary that the Applicant file a statement of substance of the interview, please be advised that the Interview Summary accurately summarizes the interview.

#### **Information Disclosure Statement**

Applicant acknowledges receipt of a signed and partially initialed copy of the PTO/SB/08 form provided with the Information Disclosure Statement of July 14, 2009. However, references A52-A54, A58, and A59 were crossed out on the PTO/SB/08 form with a note that there is no translation of these references and there is no explanation of relevance, per MPEP § 609.

Applicant respectfully submits that an explanation of relevance was provided in the Information Disclosure Statement. As noted on page 2 of the Information Disclosure Statement, references A52-A54, A58, and A59 were cited in co-pending Application No. 10/591,431 and the relevance of each of these documents can be found in Application No. 10/591,431. Applicant notes that Application No. 10/591,431 is being examined by the same Examiner as the Examiner for this application and that references A52-A54, A58, and A59

were cited by the Examiner in the Office Action of May 27, 2009 as relevant references. See page 10 of the Office Action of May 27, 2009 for Application No. 10/591,431 and form PTO-892 attached to the Office Action of May 27, 2009. Thus, Applicant submits that the relevance for each document has been provided by the Examiner in co-pending Application No. 10/591,431 and the requirement of a statement of relevance has been met.

Applicant respectfully requests that the Office provide a signed and fully initialed copy of the PTO/SB/08 form with the next Office correspondence.

**Rejection under 35 U.S.C. § 102**

Claims 1-8, 11-13, 15, and 16 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,511,015 to Heikkilä *et al.* (hereafter “Heikkilä”). This rejection is respectfully traversed.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See MPEP § 2131.

Heikkilä discloses an asymmetric blow suction module 12 mounted above a web 10, which includes a blow nozzle unit 14 having a first discharge suction unit 18 on a front side 16 and a second discharge suction unit 22 on a back side 20. See Heikkilä at col. 3, lines 50-56. The blow suction module 12 is located between two gas infra modules 24, 26 and the blow nozzle unit 14 has a bottom part 28 with two nozzles or nozzle gaps 30, 32. See Heikkilä at col. 3, lines 57-62, and Figure 1. The bottom part of air discharge units include bottom plates 40, 42 that are bent downwards into a V-shape and contain suction openings 38. See Heikkilä at col. 4, lines 19-22.

However, Heikkilä does not disclose a non-contact infrared drier installation for a passing web comprising, among other things, gas-heated infrared radiant elements arranged next to one another so as to form a unit, wherein said infrared drier installation comprises a recycling device and a device preventing suction of cold air between two adjacent rows of radiant elements in said unit, wherein the device preventing suction of cold air between two adjacent rows of radiant elements fills a space between the two adjacent rows of radiant

elements in said unit such that a device preventing suction of cold air is located between each and every element in said unit, as recited in claim 1. Claims 2-8, 11-13, 15, and 16 depend from claim 1.

In particular, Heikkilä does not disclose a device preventing suction of cold air between two adjacent rows of radiant elements fills a space between the two adjacent rows of radiant elements in said unit such that a device preventing suction of cold air is located between each and every element in said unit, as recited in claim 1.

The Office argues on page 2 of the Office Action that the nozzle surface 34, bottom plate 42, and suction opening 38 of Heikkilä serve as a device to prevent suction of cold air between infra modules 24 and 26. However, as shown in Figure 1 of Heikkilä, the infra modules 24, 26 are modules that include at least two individual elements and the nozzle surface 34, bottom plate 42, and suction opening 38 and arranged between the modules 24, 26, not between individual elements within each of the elements of the modules 24, 26.

For at least the reasons discussed above, Heikkilä does not anticipate claims 1-8, 11-13, 15, and 16 because Heikkilä does not disclose all of the features of claim 1. Reconsideration and withdrawal of this rejection is respectfully requested.

**Rejections under 35 U.S.C. § 103**

Claims 9, 10, and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Heikkilä. This rejection is respectfully traversed. Claims 9, 10, and 14 depend from claim 1. Heikkilä does not render claims 9, 10, and 14 to be unpatentable because Heikkilä does not disclose or suggest all of the features of claim 1. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 17-20 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Heikkilä in view of U.S. Patent No. 6,665,950 to Riepe *et al.* (hereafter “Riepe”). This rejection is respectfully traversed. Riepe fails to remedy the deficiencies of Heikkilä discussed above in regard to independent claim 1, from which claims 17-20 depend. Reconsideration and withdrawal of this rejection is respectfully requested.

**New Claim**

New claim 21 has been added. Claim 21 depends from claim 1 and is allowable for at least the reasons discussed above and for its respective additional recitations.

**Conclusion**

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

AUG 28 2009

Date \_\_\_\_\_

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 295-4011  
Facsimile: (202) 672-5399

Glenn Law  
Attorney for Applicant  
Registration No. 34,371

Kevin McHenry  
Attorney for Applicant  
Registration No. 62,582